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AF/1742

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF APPEALS

In re Application of

Amit SARKHEL et al

SERIAL NO: 09/771,240

EXAMINER: SIKYIN, IP

FILED: January 26, 2001:

GROUP: 1742

FOR: LEAD FREE, HIGH TIN TERNARY SOLDER ALLOY OF TIN, SILVER AND BISMUTH

RESPONSE

Commissioner for Patents
United States Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

MAIL STOP APPEAL BRIEF - PATENTS

SIR:

This is in response to the outstanding office communication dated October 3, 2003.

Applicant authorizes any necessary fees in connection with this matter to be deducted from Deposit Account No. **01-1944**.

Applicant has attached hereto three revised executed copies of the Appeal Brief in compliance with 37 CFR 1.192 (c) and MPEP section 1206.

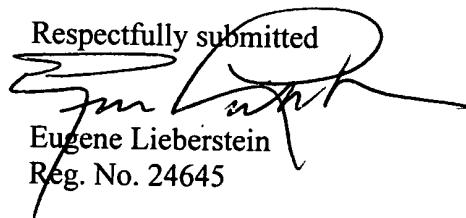
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RESPONSE

Applicant has revised the Appeal Brief attached hereto in triplicate to include a new paragraph 7 entitled "Grouping Of Claims" and a new "Summary Of Invention" in paragraph 5. The grouping of claims in paragraph 7 indicates that claims 9, 10, 13 and 14 have been grouped together and rejected as one but that claim 14 is an independent claim which include many limitations not in claim 9 or claim 13 and explains why claim 14 should not stand or fall together with claims 9 and 13. Paragraph 7 also explains why claim 10, which depends from claim 9 and further defines the solder composition much more narrowly than in claim 9 should not stand or fall together based on the rejection of claim 9. The explanation in paragraph 7 is believed sufficient to satisfy MPEP Section 1206 as to why the claims do not stand or fall together as one group.

The Summary Of The Invention in paragraph 5 has been explained concisely on page 3 starting on line 7 and refers to the specification for support by page and line number as well as to the drawing in accordance with 37 CFR 1.192(c)(5).

Accordingly, applicant considers the appeal brief in compliance with 37 CFR 1.192(c).

Respectfully submitted

Eugene Lieberstein
Reg. No. 24645

MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, MAIL STOP APPEAL BRIEF - PATENTS, on November 3, 2003.


Date: November 3, 2003